

Serial No.: 10/776,193
Art Unit: 3732
Examiner: LEWIS, Ralph A.
Page 3 of 4

REMARKS

By this amendment claims 21-39 have been cancelled and new claims 40 and 41 have been added. No claims have been amended.

Claims 40 and 41 are pending in the application. Reconsideration and allowance of these claims is respectfully requested in view of the following remarks.

In regard to Rejection of Claims 21-29 and 32-39 under 35 U.S.C. § 112 2nd para.

The Examiner has rejected claims 21-29 and 32-39 under 35 U.S.C. § 112 2nd para. as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

In response, without admitting the correctness of the Examiner's rejection but in order to advance the prosecution of the case, claims 21-29 and 32-39 have been cancelled. The Examiner's rejection of these claims under 35 U.S.C. § 112 2nd para. is now moot.

In regard to Rejection of Claims 21-29 and 32-39 under 35 U.S.C. § 102(b)

The Examiner has rejected claims 21-29 and 32-39 under 35 U.S.C. § 103(b) being anticipated by Takemoto *et al.*, U.S. Patent No. 4,162,576.

In response, without admitting the correctness of the Examiner's rejection but in order to advance the prosecution of the case, claims 21-29 and 32-39 have been cancelled. The Examiner's rejection of these claims under 35 U.S.C. § 102(b) is now moot.

Allowable Subject Matter

The Examiner has objected to claims 30 and 31 as being dependent on rejected claims, but being allowable if rewritten in independent form to include all of the limitations of the claims from which they depend.

MONTREAL:1169205.1

Serial No.: 10/776,193
Art Unit: 3732
Examiner: LEWIS, Ralph A.
Page 4 of 4


In response, claims 30 and 31 have been rewritten in independent form as new claims 40 and 41 respectively, including all of the limitations of the claims from which they depended (having been suitably modified to make grammatical and logical sense).

In view of the above remarks, the Applicants respectfully submit that all of the currently pending claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in a better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

At the time of filing of the present response, the Office was authorized to charge the fees believed to be necessary to a credit card. In case of any under- or over-payment or should any additional fee be otherwise necessary, the Office is hereby authorized to credit or debit (as the case may be) Deposit Account number 502977.

Respectfully submitted,



Jonathan D. Cutler, Reg. No. 40,576
OSLER, HOSKIN & HARCOURT LLP
Attorneys for the Applicants

OSLER, HOSKIN & HARCOURT LLP
1000 de la Gauchetière St. West
Suite 2100
Montréal, Québec H3B 4W5
Canada

Tel. (514) 904-8100
Fax. (514) 904-8101

MONTREAL:1169205.1